6 ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH PERMITS AND COMPLIANCE REQUIREMENTS

6.1 DUF_6 CYLINDER MANAGEMENT AND CONSTRUCTION AND OPERATION OF A DUF_6 CONVERSION FACILITY

DUF_6 cylinder management as well as construction and operation of the proposed DUF_6 conversion facility would be subject to many federal, state, and local requirements. In accordance with such legal requirements, a variety of permits, licenses, and other consents must be obtained. Table 6.1 at the end of this chapter lists those that may be needed. The status of each is indicated on the basis of currently available information. However, because the DUF_6 project is still at an early stage, the information in Table 6.1 should not be considered comprehensive or binding. UDS may determine that additional consents not listed in Table 6.1 apply, or that the DUF_6 cylinder management and/or the conversion facility qualify for exemptions or exclusions from some listed consents.

6.2 TRANSPORTATION OF UF_6

Transportation of UF_6 (depleted, natural, or slightly enriched) is governed by the Hazardous Materials Transportation Act (HMTA), as amended by the Hazardous Materials Transportation Uniform Safety Act of 1990 and other acts (49 USC 5101 et seq.). This law is implemented by the DOT through its hazardous materials regulations (HMRs) (i.e., 49 CFR Parts 171 through 180). Since UF_6 presents hazards because of both its radioactivity and corrosivity, the DOT HMRs impose specific packaging requirements on UF_6 shipments in addition to the otherwise applicable radioactive material transportation requirements. The specific packaging requirements for shipments of UF_6 appear in 49 CFR 173.420 and are summarized below.

- Other than Model 30A cylinders and certain cylinders manufactured before June 30, 1987, DUF_6 packaging must be designed, fabricated, inspected, tested, and marked in accordance with the version of ANSI Standard N14.1, *Uranium Hexafluoride — Packaging for Transport,* that was in effect at the time the packaging was manufactured.

- Each UF_6 packaging must be designed so that it will withstand a hydraulic test at an internal pressure of at least 1.4 megapascals (MPa) (200 lb/in.^{2}) without leakage.

- Each UF_6 packaging must be designed so that it will withstand a free drop test without loss or dispersal of UF_6. The specimen must drop onto a flat, horizontal surface of such a character that any increase in its resistance to displacement or deformation upon impact by the specimen would not significantly increase the damage to the specimen. The drop must occur so that the specimen will suffer maximum damage in respect to the safety

features to be tested. Mandatory drop heights, which must be measured from the lowest point of the specimen to the upper surface of the target, vary depending on the packaging mass from 1 ft (0.3 m) if the packaging mass exceeds 33,000 lb (15,000 kg) to 4 ft (1.2 m) if the packaging mass is less than 11,000 lb (5,000 kg).

- Each UF_6 packaging must be designed so that it will withstand, without rupture of the containment system, a thermal test as follows: Exposure for a period of 30 minutes to a thermal environment that provides a heat flux at least equivalent to that of a hydrocarbon fuel/air fire in sufficiently quiescent ambient conditions to give a minimum average flame emissivity coefficient of 0.9 and an average temperature of at least 800 degrees C (1,475 degrees F), fully engulfing the specimen, with a surface absorptivity coefficient that is the greater of 0.8 or the value the package may be expected to possess if exposed to the fire specified and a convective coefficient that must be the value that the package may be demonstrated to have if exposed to the fire specified.

- The UF_6 must be in solid form.

- The volume of solid DUF_6 must not exceed 62% of the certified capacity of the package at 20°C (68°F). For natural and slightly enriched UF_6, this requirement is 61%.

- The pressure in the package at 20°C (68°F) must be less than 101.3 kPa (14.8 lb/psia).

- Before initial filling and during periodic inspection and tests, UF_6 packaging must be cleaned in accordance with ANSI N14.1.

- UF_6 packaging must be periodically inspected, tested, marked, and otherwise conform to ANSI N14.1.

- Each repair to UF_6 packaging must be performed in accordance with ANSI N14.1.

If, at the time transportation occurs, the DUF_6 is being stored in a cylinder for which compliance with the then-applicable transportation requirements in 49 CFR 173.420 cannot be verified, UDS may implement one of the following options before shipping the DUF_6:

- Obtain an exception, pursuant to 49 CFR 173.3(b), to allow the cylinder to be transported either “as is” or following repairs, or

- Transfer the DUF_6 from its noncompliant cylinder into a compliant cylinder.

- Ship the noncompliant cylinder in a compliant overpack.

A detailed discussion of regulatory considerations associated with transporting UF_6 is presented in Biwer et al. (2001).

6.3 WORKER SAFETY AND HEALTH

The Occupational Safety and Health Act of 1970 (P.L. 91-596) gives OSHA the authority to prescribe and enforce standards and regulations affecting the occupational safety and health of private-sector employees. However, at facilities where another federal agency has exercised its statutory authority to prescribe or enforce occupational safety and health standards, Section 4(b)(1) of the act waives OSHA's jurisdiction. Relying on this section of the act, in 1974, OSHA explicitly recognized the authority of the AEC to establish and enforce occupational safety and health standards at AEC-sponsored, contractor-operated facilities covered by the AEA. Since then, the AEC and its successor agencies, including DOE, have regulated worker health and safety at most of their own facilities. This approach will be used to regulate worker safety at DUF_6 cylinder management and conversion facilities.

DOE exercises its authority over working conditions at its facilities through an extensive program of internal oversight and a system of DOE regulations and directives that require DOE contractors to comply with relevant worker protection standards and regulations (e.g., 29 CFR Part 1910, *Occupational Safety and Health Standards*, and 29 CFR Part 1926, *Safety and Health Regulations for Construction*) and impose additional radiation and chemical exposure standards developed by DOE (DOE Order 440.1A). DOE enforces its regulations, which have the power of law, by levying fines or by referring the offending contractor to the Department of Justice for other punishment. Most of DOE's worker radiation protection regulations are located in 10 CFR Part 835, *Occupational Radiation Protection.* Pertinent DOE directives are listed in site-specific contract provisions and are enforced by invoking contractual remedies such as contract cancellation. Accordingly, UDS is required by its contract to comply with applicable health, safety, and environmental laws, orders, regulations, and national consensus standards and to develop and execute a radiation protection plan and an integrated safety management plan (DOE 2000d).

TABLE 6.1 Potentially Applicable Consents for the Construction and Operation of a DUF_6 Conversion Facility

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Air Quality Protection			
Title V Operating Permit: Required for sources that are not exempt and are major sources, affected sources subject to the Acid Rain Program, sources subject to new source performance standards (NSPS), or sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAPs).	Kentucky Department of Environmental Protection (KDEP); U.S. Environmental Protection Agency (EPA)	Clean Air Act (CAA), Title V, Sections 501–507 (*U.S. Code*, Title 42, Sections 7661–7661f [42 USC 7661–7661f]); 401 *Kentucky Administrative Regulation* (KAR) 52:020	Uranium Disposition Services, LLC (UDS), has determined that the DUF_6 conversion facility is not an affected source subject to the Acid Rain Program and is not a source subject to NSPS. However, UDS has not yet confirmed whether the DUF_6 conversion facility would be a major source of hazardous air pollutants (HAPs). Also, the facility is subject to *Code of Federal Regulations*, Title 40, Part 61, Subpart H (40 CFR Part 61, Subpart H), "National Emission Standards for Emissions of Radionuclides Other Than Radon from Department of Energy Facilities" (NESHAPs), although emissions are expected to result in an effective dose equivalent to the maximally exposed individual (MEI) of well below the standard (i.e., 10 mrem/yr). Accordingly, UDS is seeking official verification from the KDEP as to whether a Title V Operating Permit is needed. KDEP representatives have verbally stated that no Title V Operating Permit will be required.
Kentucky Federally Enforceable State Origin Permit for Air Quality (FE SOP): Required for sources that accept permit conditions that are legally and practically enforceable to limit their potential to emit (PTE) to below the major source thresholds that would make them subject to the requirement to obtain a Title V Operating Permit. *— OR —* **Kentucky State Origin Permit for Air Quality (SOP):** Required for (1) sources that emit or have the PTE (a) more than 25 tons (28 t)/yr and less than 100 tons (110 t)/yr of a nonhazardous regulated air pollutant and (b) less than 10 tons (28 t)/yr of a HAP and less than 25 tons (110 t)/yr of combined HAPS; or (2) certain minor source incinerators, unless the source is exempt. Among others, a source required to obtain a Title V Operating Permit or a Federally Enforceable Permit for a Non-Major Source is exempt.	KDEP	*Kentucky Revised Statute* (KRS) 224.10–100 and 224.20–100; 401 KAR 52.030; 401 KAR 52:040	Assuming that a Title V Operating Permit will not be required, UDS expects that the DUF_6 conversion facility will be required to obtain either a Kentucky FE SOP or a Kentucky SOP for Air Quality. UDS is seeking verification from the KDEP concerning which of these permits is needed and has plans to submit a timely application for the appropriate permit.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Air Quality Protection (Cont.)			
Risk Management Plan (RMP): Required for any stationary source that has a regulated substance (e.g., hydrogen fluoride, anhydrous ammonia, ammonia, nitric acid) in any process (including storage) in a quantity that is over the threshold level.	EPA; KDEP	CAA, Title 1, Section 112(r)(7) (42 USC 7412); 40 CFR Part 68; 401 KAR, Chapter 68	UDS has determined that certain regulated substances would be stored at the DUF_6 conversion facility in quantities that could potentially exceed the threshold levels. Accordingly, an RMP may be required. UDS will verify this with the KDEP and, if necessary, prepare an RMP.
CAA Conformity Determination: Required for each criteria pollutant (i.e., sulfur dioxide, particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead) where the total of direct and indirect emissions in a nonattainment or maintenance area caused by a federal action would equal or exceed threshold rates.	DOE; KDEP; Tennessee Department of Environment and Conservation (TDEC)	CAA, Title 1, Section 176(c) (42 USC 7506); 40 CFR 93; 401 KAR 50:065; TDEC Regulations 1200-3-34-.02	McCracken County, Kentucky, and Roane County, Tennessee, have both been designated as "Cannot be Classified or Better Than Standard" for all criteria pollutants. Because these counties are in attainment with National Ambient Air Quality Standards for all criteria pollutants and contain no maintenance areas, no CAA conformity determination is required for any criteria pollutant that would be emitted as a result of the proposed federal action.
Water Resources Protection			
Kentucky Pollutant Discharge Elimination System (KPDES) Permit – Construction Site Storm Water: Required before making point source discharges into waters of the state of storm water from a construction project that disturbs more than 5 acres (2 ha) of land.	KDEP	Clean Water Act (CWA) (33 USC 1251 et seq.); 40 CFR Part 122; 401 KAR 5:055 and 5:060	UDS has determined that a KPDES Permit for construction site storm water would be required. However, storm water from the DUF_6 conversion facility construction area could be managed such that discharge would occur through an existing outfall covered by KPDES Permit No. 0004049, which was issued to the U.S. Department of Energy (DOE) for surface water discharges from the Paducah Gaseous Diffusion Plant (GDP). Accordingly, UDS plans to coordinate with DOE and the KDEP to determine whether a separate KPDES Permit is needed for storm water discharges from the DUF_6 conversion facility construction site. If a separate permit is needed, UDS will, at the appropriate time, either submit a Notice of Intent (NOI) to discharge under the General KPDES Permit No. KYR10 for storm water discharges from construction activities or submit an application for an individual KPDES Permit to the KDEP.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Water Resources Protection (Cont.)			
Kentucky Pollutant Discharge Elimination System (KPDES) Permit – Industrial Facility Storm Water: Required before making point source discharges into waters of the state of storm water from an industrial site.	KDEP	CWA (33 USC 1251 et seq.); 40 CFR Part 122; 401 KAR 5:055 and 5:060	UDS has determined that storm water would be discharged from the DUF_6 conversion facility site during operations. Therefore, a KPDES Permit for Industrial Facility Storm Water discharge may be required, unless arrangements can be made to discharge such storm water through an existing outfall covered by KPDES Permit No. 0004049, already held by DOE for the Paducah GDP. UDS plans to consult with DOE and the KDEP concerning discharges of storm water during operations through an existing outfall. If this cannot be arranged and a separate KPDES Permit is needed, UDS will, at the appropriate time, submit an application for an individual KPDES Permit to the KDEP.
Kentucky Pollutant Discharge Elimination System (KPDES) Permit – Process Water Discharge: Required before making point source discharges into waters of the state of industrial process wastewater.	KDEP	CWA (33 USC 1251 et seq.); 40 CFR Part 122; 401 KAR 5:055 and 5:060	UDS is studying options for management of process water/blowdown discharges. The need for a KPDES permit for such discharges will be determined based on the outcome of the study. If it is determined that a KPDES permit is required, UDS will apply for the permit at the appropriate time.
Construction Permit for Sewer Line Extension: Required before beginning construction of sewer line extensions, pump stations, and force mains, or before modification of existing facilities.	KDEP	401 KAR 5:0005	UDS has determined that a Construction Permit for Sewer Line Extension would be required before beginning construction of sewer lines and pump stations at the DUF_6 conversion facility site. Accordingly, UDS plans to submit an application to the KDEP at the appropriate time.
Approval of Plans and Specifications for Water Line Extension: Required before altering any existing facilities in a public or semipublic water system.	KDEP	401 KAR 8:100	UDS will submit the information required to obtain approval for a water line extension at the appropriate time.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Water Resources Protection (Cont.)			
CWA Section 404 (Dredge and Fill) Permit: Required to place dredged or fill material into waters of the United States, including areas designated as wetlands, unless such placement is exempt or authorized by a nationwide permit or a regional permit; a notice must be filed if a nationwide or regional permit applies.	U.S. Army Corps of Engineers (USACE)	CWA (33 USC 1251 et seq.); 33 CFR Parts 323 and 330	UDS believes that construction of the DUF_6 conversion facility would not result in dredging or placement of fill material into wetlands within the jurisdiction of the USACE. However, construction of a rail crossing at Big Bayou Creek may require a Section 404 Permit. Accordingly, UDS plans to consult with the USACE concerning the project and, if appropriate, submit either a preconstruction notification about activities covered by a nationwide permit or an application for an individual Section 404 Permit.
Floodplain Construction Permit: Required prior to beginning construction of an obstruction across or along any stream or in the floodway of any stream.	KDEP	401 KAR 4:020 and 4:060	Construction of a rail crossing at Big Bayou Creek may require a Floodplain Construction Permit. UDS plans to consult with the KDEP to verify the need for this permit and will submit an application, as appropriate.
Groundwater Protection Plan: Required for conducting specified activities that may result in the pollution of groundwater.	KDEP	40 1 KAR 5:037	Certain activities at the DUF_6 conversion facility, such as storage of wastes in tanks and/or drums and storage of bulk quantities of potential pollutants in tanks, may require development of a Groundwater Protection Plan. UDS will consult with the KDEP to verify the need for such a plan and will develop the plan, if required.
Spill Prevention Control and Countermeasures (SPCC) Plan: Required for any facility that could discharge oil in harmful quantities into navigable waters or onto adjoining shorelines.	EPA	CWA (33 USC 1251 et seq.); 40 CFR Part 112	If it is determined that a SPCC plan would be required, UDS will submit the plan to the EPA and KDEP at the appropriate time.
CWA Section 401 Water Quality Certification: Required to be submitted to the agency responsible for issuing any federal license or permit to conduct an activity that may result in a discharge of pollutants into waters of a state.	KDEP	CWA, Section 401 (33 USC 1341); KRS 224.70	UDS would be required to obtain a CWA Section 401 Water Quality Certification if construction or operation associated with the DUF_6 conversion facility, such as construction of a rail spur, requires a federal license or permit. If it is determined that a federal license or permit is required (e.g., a CWA Section 404 Permit), UDS will request a CWA Section 401 Water Quality Certification from the KDEP at the appropriate time.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Waste Management and Pollution Prevention			
Registration and Hazardous Waste Generator Identification Number: Required before a person who generates over 220 lb (100 kg) per calendar month of hazardous waste ships the hazardous waste off site.	EPA; KDEP	Resource Conservation and Recovery Act (RCRA), as amended (42 USC 6901 et seq.), Subtitle C; 401 KAR 32:010	At the appropriate time, UDS plans to apply to the KDEP for an EPA Hazardous Waste Generator Identification Number.
Hazardous Waste Treatment, Storage, or Disposal Facility Permit: Required if hazardous or mixed waste will undergo nonexempt treatment by the generator, be stored on site by the generator of 2,205 lb (1,000 kg) or more of hazardous waste per month for longer than 90 days, be stored on site by the generator of between 220 and 2,205 lb (100 and 1,000 kg) of hazardous waste per month for longer than 180 days, be disposed of on site, or be received from off site for treatment or disposal.	EPA; KDEP	RCRA, as amended (42 USC 6901 et seq.), Subtitle C; 401 KAR 38:010, Section 4	Hazardous waste would not be disposed of on site at the DUF_6 conversion facility, nor would nonexempt treatment be conducted. Also, UDS does not plan to store any hazardous wastes that are generated on site for more than 90 days. Accordingly, UDS believes that no Hazardous Waste Treatment, Storage, or Disposal Facility Permit would be required. UDS plans to verify this determination with the KDEP.
Solid Waste Site or Facility Permit: Required to establish, construct, operate, and maintain a solid waste site or facility in Kentucky.	KDEP	401 KAR 47:080 and 47:100	Solid waste would not be disposed of on site at the DUF_6 conversion facility. Therefore, no Solid Waste Site or Facility Permit would be required.
Notification for Underground Storage Tank (UST) System: Required within 30 days of bringing a new UST system into service.	EPA; KDEP	RCRA, as amended, Subtitle I (42 USC 6991a–6991i); 40 CFR 280.22; 401 KAR 42:020	No UST systems would be installed at the DUF_6 conversion facility. Therefore, no Notification for UST System form would be submitted.
Notification of PCB Waste Activity	EPA	Toxic Substances Control Act (TSCA), as amended (15 USC 2601 et seq.); 40 CFR Part 761	UDS would be required to notify EPA of PCB waste activities at the time that DUF_6 cylinders to which paints containing PCBs have been applied are designated for disposal, either alone or as containers for depleted uranium oxide. At the appropriate time, UDS will notify the EPA by filing the required form.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Emergency Planning and Response			
List of Material Safety Data Sheets: Submission of a list of Material Safety Data Sheets is required for hazardous chemicals (as defined in 29 CFR Part 1910) that are stored on site in excess of their threshold quantities.	Local Emergency Planning Commission (LEPC); Kentucky Emergency Response Commission	Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), Section 311 (42 USC 11021); 40 CFR 370.20	UDS will prepare and submit a List of Material Safety Data Sheets at the appropriate time.
Annual Hazardous Chemical Inventory Report: Submission of the report is required when hazardous chemicals have been stored at a facility during the preceding year in amounts that exceed threshold quantities.	LEPC; Kentucky Emergency Response Commission; local fire department	EPCRA, Section 312 (42 USC 11022); 40 CFR 370.25; 106 KAR 1:081	UDS will cooperate with other DOE tenants at the Paducah Gaseous Diffusion Plant (PGDF) site regarding submission of a site-wide Annual Hazardous Chemical Inventory Report each year. For the purpose of preparing the site-wide report, the total quantities of hazardous chemicals stored by all tenants at the PGDP site, including those stored at the depleted UF_6 conversion facility, will be considered.
Notification of On-Site Storage of an Extremely Hazardous Substance: Submission of the notification is required within 60 days after on-site storage begins of an extremely hazardous substance in a quantity greater than the threshold planning quantity.	Kentucky Emergency Response Commission	EPCRA, Section 304 (42 USC 11004); 40 CFR 355.30; 106 KAR 1:081	UDS will prepare and submit the Notification of On-Site Storage of an Extremely Hazardous Substance at the appropriate time, if such substances are determined to be stored in a quantity greater than the threshold planning quantity at the DUF_6 conversion facility.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Transportation of Radioactive Wastes and Conversion Products			
Certificate of Registration: Required to authorize the registrant to transport hazardous material or cause a hazardous material to be transported or shipped.	U.S. Department of Transportation (DOT)	Hazardous Materials Transportation Act (HMTA), as amended by the Hazardous Materials Transportation Uniform Safety Act of 1990 and other acts (49 USC 1501 et seq.); 49 CFR 107.608(b)	UDS will obtain a Certificate of Registration at the appropriate time.
Packaging, Labeling, and Routing Requirements for Radioactive Materials: Required for packages containing radioactive materials that will be shipped by truck or rail.	DOT	HMTA (49 USC 1501 et seq.); Atomic Energy Act (AEA), as amended (42 USC 2011 et seq.); 49 CFR Parts 172, 173, 174, 177, and 397	When shipments of radioactive materials are made, UDS will comply with DOT packaging, labeling, and routing requirements.
Biotic Resources			
Threatened and Endangered Species Consultation: Required between the responsible federal agencies and affected states to ensure that the project is not likely to (1) jeopardize the continued existence of any species listed at the federal or state level as endangered or threatened or (2) result in destruction of critical habitat of such species.	DOE; U.S. Fish and Wildlife Service; Kentucky Department of Fish and Wildlife Resources	Endangered Species Act of 1973, as amended (16 USC 1531 et seq.); KRS 150.183, 150.990, and 146.600–619	No species listed at the federal or state level as endangered or threatened or the critical habitat of such a species has been identified that would be affected by construction or operation of the DUF_6 conversion facility.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Nuclear Facility Operations			
Approval to Start Up a Nuclear Facility: Required before start-up of new nuclear facilities, which are activities or operations that involve radioactive and/or fissionable materials in such form or quantity that a nuclear hazard potentially exists to the employees or the general public.	DOE	AEA, as amended (42 USC 2011 et seq.); DOE Order 425.1B	UDS will obtain approval from DOE to start up the DUF_6 conversion facility at the appropriate time.
Approval to Release Materials Containing Residual Radioactive Contamination: Required before releasing (1) nonuranium products from the DUF_6 conversion process (such as hydrogen fluoride [HF] or calcium fluoride [CaF_2]) for unregulated use and (2) decontaminated DUF_6 cylinders for unregulated use as scrap metal.	DOE	AEA, as amended (42 USC 2011 et seq.); DOE Order 5400.5	UDS will obtain approval from DOE before releasing HF, CaF_2, or decontaminated cylinders for unregulated use.
Cultural Resources			
Archaeological and Historical Resources Consultation: Required before a federal agency approves a project in an area where archaeological or historic resources might be located.	DOE; Advisory Council on Historic Preservation; Kentucky State Historic Preservation Officer (SHPO)	National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.); Archaeological and Historical Preservation Act of 1974 (16 USC 469–469c-2); Antiquities Act of 1906 (16 USC 431 et seq.); Archaeological Resources Protection Act of 1979, as amended (16 USC 470aa–mm)	DOE has coordinated with the Advisory Council on Historic Preservation and the Kentucky SHPO. A programmatic agreement (PA) calling for a complete cultural resource survey of the Paducah GDP, as well as development and implementation of a Cultural Resource Management Plan (CRMP), has been negotiated. The survey will proceed when the PA has been finalized; the CRMP will include any cultural resources found on the area to be occupied by the DUF_6 conversion facility.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Cultural Resources (Cont.)			
Government-to-Government Tribal Consultation: Required to ensure that project activities have been designed to protect access to, physical integrity of, and confidentiality of traditional cultural and religious sites.	DOE	American Indian Religious Freedom Act of 1978 (42 USC 1996 and 1996a); Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001 et seq.); National Historic Preservation Act of 1966, as amended (16 USC 470f); 36 CFR Part 800, Subpart B; 43 CFR Part 10	DOE has initiated government-to-government consultations with Native American tribes in the area of the DUF_6 conversion facility. No religious or sacred sites, burial sites, or resources significant to Native Americans have been identified to date.
Other			
Environmental Impact Statement (EIS): Required to evaluate the potential environmental impacts of a proposed major federal action that may significantly affect the quality of the human environment and to consider alternatives to the proposed action.	DOE	National Environmental Policy Act of 1969, as amended (NEPA) (42 USC 4321 et seq.); 40 CFR Parts 1500–1508; 10 CFR Part 1021	The requirements of NEPA are satisfied by publication of this EIS for the DUF_6 conversion facility.
Annual Toxic Release Inventory (TRI) Report: Required for facilities that have 10 or more full-time employees and are assigned certain Standard Industrial Classification (SIC) codes.	EPA	EPCRA, Section 313 (42 USC 11023); 40 CFR Part 372	UDS will prepare and submit a TRI report to the EPA each year.

TABLE 6.1 (Cont.)

License, Permit, or Other Consent	Responsible Agency	Authority	Relevance and Status
Other (Cont.)			
Tennessee Department of Environment and Conservation Consent Order (issued February 2, 1999): Establishes requirements for management, surveillance, testing, maintenance, and disposition of the UF_6 cylinders at the East Tennessee Technology Park.	DOE; Tennessee Department of Environment and Conservation (TDEC)		UDS will implement the requirements of the TDEC Consent Order.
Kentucky Natural Resources and Environmental Protection Cabinet Agreed Order (entered October 2, 2003: Establishes requirements for management, surveillance, testing, and maintenance of the DUF_6 storage yards and cylinders for which DOE accepts and exercises regulatory authority and responsibility at the Paducah Gaseous Diffusion Plant site.	DOE; KDEP	KRS 224	UDS will implement the requirements of the Kentucky Natural Resources and Environmental Protection Cabinet Agreed Order.
Federal Aviation Administration (FAA) Notice of Construction: Required prior to constructing a structure that could affect navigable airspace.	FAA	49 USC 44718; 14 CFR 77.11	UDS has notified the FAA that construction of the air emissions vent will occur within approximately 4 miles of the Barkley Regional Airport.